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May 22, 2008

**By Hand Delivery**

The Honorable Gregory M. Sleet  
United States District Court  
844 North King Street, Lock Box 19  
Wilmington, DE 19801

**Re: *Aventis Pharmaceuticals Inc., et al. v. Barr Laboratories, Inc.*, C.A. No. 06-286 (GMS)**

Dear Chief Judge Sleet:

This office represents Schering Corporation and Schering-Plough Corporation ("Schering"). Though Schering is not a party to this litigation, it produced highly confidential documents pursuant to a subpoena served by Barr Laboratories, Inc. The Stipulated Protective Order entered in this matter on August 22, 2006 provides that a party intending to reveal confidential information in an open proceeding must first make an application to the Court *in camera* to permit such use if the designating party does not consent. (¶10; *see also* ¶3). Those protections apply to the confidential materials that Schering produced.

The parties initially advised Schering that they intended to use Schering's confidential information at trial. More recently, the parties indicated that they would not do so. Given the inherently fluid nature of a trial, the parties could again change their views. Accordingly, Schering respectfully requests that the Court require any party that intends to present Schering's documents at trial to provide Schering with 48 hours notice before the documents are used in open court. Schering further respectfully requests that the courtroom be sealed during any such presentation in order that the confidentiality of Schering's valuable information may be preserved.

Thank you for the Court's consideration of this important issue.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "David E. Wilks".

David E. Wilks  
(DE #2793)

DEW:me

cc: All Counsel